

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No.59432

Henry E. Dickerson

7806 Kavanagh Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 10, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 35-5-302, 302 (b), failure to remove and paint all surfaces that have flaking paint (fascia), failure to repair brick in disrepair (front door) on residential property zoned DR 10.5 known as 7806 Kavanagh Road, 21222.

On May 18, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Christian Frink issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,400.00 (two thousand four hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 23, 2009 for flaking paint on front fascia trim and brick surrounding front door in disrepair on this row townhouse. This Citation was issued on May 18, 2009.

B. Photographs in the file show peeling paint on the fascia under the front roofline, and missing bricks on both sides of the front door. Re-inspection on June 9 found the front door area repaired, but also found the roofline fascia still unrepaired and needing to be repainted.

C. Respondent is obligated by County law to paint the exposed surface of the front fascia trim, to protect the exterior structure of the house from decay. County Code Section 35-5-302. Because compliance is the goal of code enforcement, and because Respondent has made progress repairing the house, additional time will be provided for completion of repairs.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,500.00 (one thousand five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the roofline fascia is painted by July 31, 2009.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 22<sup>nd</sup> day of June 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer